

Mail Stop Interference
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Paper 1

Filed 12 January 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

AVISHAI ELAZAR
Junior Party
(Patent 6,542,602),

v.

VALERY A. PETRUSHIN
Senior Party
(Application 09/833,301).

Patent Interference No. 105,737 (JL)
(Technology Center 2600)

DECLARATION - Bd.R. 203(b)¹

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

1 **Part A. Declaration of interference**

2 An interference is declared (35 U.S.C. § 135(a)) between the above-identified
3 parties. Details of the application(s), patent (if any), reissue application (if any), count(s)
4 and claims designated as corresponding or as not corresponding to the count(s) appear
5 in Parts E and F of this DECLARATION.

6 **Part B. Judge managing the interference**

7 Administrative Patent Judge Jameson Lee has been designated to manage the
8 interference. Bd. R. 104(a).

9 **Part C. Standing order**

10 A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this
11 DECLARATION. The STANDING ORDER applies to this interference.

12 **Part D. Initial conference call**

13 A telephone conference call to discuss the interference is set for **1:00 p.m. (EST)**
14 **on 25 February 2010** (the Board will initiate the call).

15 No later than **four business days** prior to the conference call, each party shall
16 file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204;
17 SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

18 A sample schedule for taking action during the motion phase appears as Form 2
19 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to
20 the conference call and to agree on dates for taking action. A typical motion period
21 lasts approximately eight (8) months. Counsel should be prepared to justify any request
22 for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named inventor: VALERY A. PETRUSHIN, Arlington Heights, IL
Involved Application: 09/833,301 filed 10 April 2001
Title: Detecting emotion in vice signals in a call center
Assignee: ACCENTURE LLP

Senior Party

Named Inventor: AVISHAI ELAZAR, Sunnyvale, CA
Involved Patent: 6,542,602 granted 1 April 2003 based on
Application 09/503,479 filed 14 February 2000
Title: Telephone call monitoring system
Assignee: Nice Systems Ltd.

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The senior party is responsible for initiating settlement discussions. SO ¶ 126.1.

Part G. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see
SO ¶ 106.1.1:

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Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

**/JAMESON LEE/
Administrative Patent Judge**

Enc: Copy of STANDING ORDER

Revised 3 January 2006

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2

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